



RESPONSE UNDER 37 C.F.R. § 1.116
-- EXPEDITED PROCEDURE --
EXAMINING GROUP 2100

Our Docket No: 42390P16028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sim et al.

Application No: 09/681,671

Filed: May 18, 2001

For: Method and Apparatus for Initializing)
A New Node in a Network)

Examiner: El Hady, Nabil M.

Art Unit: 2154

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Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

The undersigned attorney represents that the undersigned attorney is the attorney of record for the above-referenced patent application.

The assignee of the entire right, title, and interest in and to the above-referenced patent application is Intel Corporation ("assignee"), a Delaware corporation having a place of business at 2200 Mission College Boulevard, Santa Clara, California 95052.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

July 28, 2004

Date of Deposit

Debbie Peloquin

Name of Person Mailing Correspondence

Signature

July 28, 2004

Date

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Docket No. 42390P16028
Application No. 09/681,671

The terminal part of any patent granted on the above-identified application that would extend beyond the expiration of the earlier of the full statutory term of

- X Application Number 09/681,668, entitled Method and Apparatus for Minimizing Network Congestion During Large Payload Delivery, and filed May 18, 2001,
- X Application Number 09/681,672, entitled Method and Apparatus for Automatically Adapting a Node in a Network, and filed May 18, 2001, or
- X Application Number 09/984,019, entitled Method and Apparatus for Real-time Parallel Delivery of Segments of a Large Payload File, and filed October 26, 2001,

is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

- X Application Number 09/681,668, entitled Method and Apparatus for Minimizing Network Congestion During Large Payload Delivery, and filed May 18, 2001,
- X Application Number 09/681,672, entitled Method and Apparatus for Automatically Adapting a Node in a Network, and filed May 18, 2001, and
- X Application Number 09/984,019, entitled Method and Apparatus for Real-time Parallel Delivery of Segments of a Large Payload File, and filed October 26, 2001,

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors, or assigns.

No disclaimer is being made as to any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of

- X Application Number 09/681,668, entitled Method and Apparatus for Minimizing Network Congestion During Large Payload Delivery, and filed May 18, 2001,
- X Application Number 09/681,672, entitled Method and Apparatus for Automatically Adapting a Node in a Network, and filed May 18, 2001, or
- X Application Number 09/984,019, entitled Method and Apparatus for Real-time Parallel Delivery of Segments of a Large Payload File, and filed October 26, 2001,

in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Enclosed is a check for \$ 110.00 for the fee under 37 C.F.R. § 1.20(d).

Please charge Deposit Account No. 02-2666 for any fee deficiency that may be due. A duplicate of the Fee Transmittal is enclosed for Deposit Account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: July 28, 2004


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